



**STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS**

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September 15, 2011

Daniel E. Garner
316 W. Edenton
Raleigh, NC 27603

Re: 04 NCAC 03C .0807 and .1001; and, 16A, 16C, 16D, 16E, 16F (all rules in each subchapter (except 16A.0301 and .0302 which are covered in a separate letter))

Dear Mr. Garner:

At its September 15, 2011 meeting the Rules Review Commission extended the period of review on the above captioned rules in accordance with G.S. 150B-21.13.

The Commission did so in order to give you and the RRC counsel an opportunity to see if some agreement could be reached on staff's requested technical changes. If no agreement can be reached then you will at least identify the rules staff will recommend that the Commission object to and the basis for that recommendation.

Although the Commission had approved the two Subchapter 03C rules referred to above, that approval is always contingent on the technical changes being made as set out in G.S. 150B-21.10. Since they have not been made and the condition has not been complied with the approval is rescinded and those two rules are included within this group of rules for which the review period has been extended.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Joseph J. DeLuca, Jr.
Commission Counsel

JJD:jbe

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